

## **2400 VERMONT ADULT EDUCATION RULES**

Rules 2390 through 2396 are repealed

The following rules are added:

### **2400 Adult Education**

#### **2401 Statement of Purpose**

These rules establish a state Adult Education Board to define policies and oversee the development and operations of Department of Education adult education programs in Vermont. These rules further clarify policies with respect to the Adult Basic Education Program, Adult Diploma Program, Vermont Literacy Resource Center, Adult Technical Education, Even Start, and General Educational Development Program.

The purpose of Adult Education programs is to offer adults the opportunity to acquire the level of education and technical training skills necessary for active participation as family members, citizens and learners, and for economic self-sufficiency. Adult Education programs seek to expand educational opportunities and enable eligible adults to continue their education to at least the level of secondary school completion.

#### **2402 Statutory Authority**

16 VSA §164, (7) and (13); 16 VSA §1049  
Adult Education Act, P.L. 91-230 as amended from time to time (20 U.S.C. §1232 (a));  
45 C.F.R. Parts 166, 166a, 166b and 166c  
Adult Technical Education, 16 VSA §1553  
Even Start Family Literacy Program, 20 U.S.C. §2741  
State Literacy Resource Centers, 20 U.S.C. §§1205a and 1208aa

#### **2403 Definitions**

Adult Education, as used in these rules, means the process for the acquisition of skills and knowledge equivalent to that of secondary education provided in a manner responsive to the unique needs of individual learners, families and their communities.

#### **2404 Adult Education Board**

There is hereby created a state adult education board which shall be known as the “Vermont Adult Education Board” (hereinafter “Board”). The Board shall be appointed by the Vermont State Board of Education and shall comprise at least nine and not more than fifteen members who represent a broad spectrum of occupations, perspectives, interests and

geographic locations within the state and who possess a strong commitment to adult literacy but who have no pecuniary or other interest which conflicts with or creates an appearance of conflict with board responsibilities. Vermont Literacy Board members in office on the effective date of these rules shall complete their terms. Thereafter each vacancy shall be filled for a term of three years. Terms of office shall begin on July 1. Members may be re-appointed.

Annually the Board shall elect one member to serve as chair and one member to serve as vice-chair.

Committees and subcommittees may be appointed by the chair and such committees and subcommittees may include non-Board members.

The Board shall develop an annual policy agenda in consultation with the Commissioner, State Board of Education, parties interested in adult education and the public. The policy agenda shall identify new issues for study and action as well as ongoing work to be completed by the Board.

2405 Duties of the Vermont Adult Education Board

- 2405.1 The Board under the direction of the Vermont State Board of Education shall exercise policy authority over and define the mission and plan of action for the following Department of Education Programs: Adult Basic Education, Adult Technical Education, Adult Diploma Program, General Educational Development Program, Even Start Program, and Vermont Literacy Resource Center.
- 2405.2 The Board shall report quarterly to the Vermont State Board of Education and more frequently, as requested, to the Commissioner of Education.
- 2405.3 The Board shall propose to the State Board of Education and Commissioner methods to unify the Department of Education's adult programming into an adult education system related to public policy goals.
- 2405.4 The Board shall provide leadership and advocacy for adult education with policy makers, funders, providers, and the general public.

With respect to Adult Education Programs:

- 2405.5 For those programs identified in 2405.1 that require a state plan, the Board shall conduct the necessary planning process.

- 2405.6 The Board shall oversee the development, refinement and conduct of the regional adult education “Request for Proposals” process, with the approval of the State Board of Education, for the distribution of state and federal funds. In so doing, the Board shall promote regional collaboration and ensure equitable access to services throughout Vermont.
- 2405.7 The Board shall monitor progress of funded programs for fiscal and programmatic accountability and report thereon to the State Board of Education.

#### 2410 Adult Basic Education Funding Formula

The funding formula for allocating Adult Basic Education funds shall be calculated on a county basis and shall be as follows:

2410.1 each county shall receive a base allocation of \$30,000.00.

2410.2 70% of the remaining funds available for allocation shall be allocated on the basis of comparative need as measured statewide as follows:

15% based upon the statewide percentage in the county of unemployed or underemployed persons without a high school diploma.

50% based upon the statewide percentage in the county of persons who are 16 years of age or older, not enrolled in school and without a high school diploma.

20% based upon the statewide percentage in the county of persons living at 125% of poverty.

15% based upon the statewide percentage in the county of persons in the categories of offenders, mothers without high school diplomas and persons for whom English is a second language.

2410.3 30% of the remaining funds available for allocation shall be allocated on the basis of the comparative density of need within each county as follows:

15% based upon each county’s density of unemployed and underemployed persons without a high school diploma.

50% based upon each county’s density of persons 16 years of age or older, not enrolled in school and without a high school diploma.

20% based upon each county's density of persons living at 125% of poverty.

15% based upon each county's density of persons in the categories of offenders, mothers without high school diplomas and persons for whom English is a second language.

#### 2411 Transition Provision

Notwithstanding the provisions of Rule 2410, no county shall receive less funding than that awarded in FY 1994, unless the total amount available for allocation has been reduced from the FY 1994 basic grant award total. In such cases, the reduction shall be pro-rated proportionately to all counties.

All monies available for the ABE basic grant award that exceed the FY 1994 basic grant award shall be applied to continue the implementation of Rule 2410 until such time as Rule 2410 is fully implemented. During this transition period, a county that under the formula would receive less than the amount it received in FY 1994 would receive the amount it received in FY 1994.